

JUVENILE DELINQUENCY*

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THE aim of a court of justice should be to place the responsibility of any crime committed on the right person, and then to decide how far this responsibility should be borne by the person accused. This, however, is not our modern way of dealing with crime, in fact our method of dealing with criminalism is a hit-or-miss one. According to law every man is innocent until proved guilty (although even this statement is very much twisted in our courts of law), but the fact I wish to bring forward, is that every wrong-doer should be held irresponsible for any crime until proved responsible. In order to show that we do not achieve the object aimed at, i.e., that when a person is committed to jail or penitentiary he is returned to society, after a certain time, a better individual, mentally and physically, and of less danger to the community, we have only to read the reports issued in England. In 1910 out of one hundred and sixty-eight thousand offenders, one hundred and four thousand had been convicted previously; sixty-five thousand of these had been convicted more than twice before and twelve thousand upwards of twenty times. Why this failure of adjustment? Was the prescribed treatment unsuited, or is it impossible to reform some offenders, or was the environment after release the cause? These are the questions which we should try to unravel.

Unfortunately in this country there are no figures such as the above; in fact, no attempt is made to establish the connexion between the crime committed by the accused person and his mental make-up. Crime, like all conduct, is an attribute of mental life and this being so, in order to get at the cause of crime we must study the mental life of the criminal. Very little has been done in developing this science, but what has been done has clearly shown that most criminals are physically and mentally inferior. Lombroso and his school have attempted to prove that there is a definite

* A preliminary report on the examination of the boys sent from the Juvenile Court, Montreal, to the Shawbridge Training School.

criminal type which is inherited generation after generation, but the work of modern criminologists and psychologists has shown the error of this theory. The studies of criminalism of the present day aim at the development of a science of adjustment of human relationships. The solution of the problem involves adjustment between social possibilities and individual tendencies. For rectification of anti-social conduct there must be self-developed or environmental control—in either case an adjustment. Our courts of law do not take any cognizance of any intrinsic conditions of the mind and body which might predispose towards delinquency. As shown by the English statistics, the offender is often returned to society no better equipped to avoid misconduct. The object of every court of law should be to develop a science showing how best to deal with the criminal. This would mean the appointment of an expert psychologist and physician, or a physician with a psychological training, who would examine any accused person referred to him and gather statistics on this subject. The causes of misconduct may be found in outer influences, past or present, in physical make-up, in mental defects or aberrations; or in mental habits, imageries, conflicts and repressions. In the last few years tests designed to determine the mentality of a person, especially of children, have been greatly improved, and it is along these lines that the greatest advancement has been made. The Binet-Simon tests, with their modifications, and the form boards and other tests, as used by Healy and at Ellis Island, have been of great help in the Juvenile Courts, and in weeding out the mentally defective immigrant.

In order to determine, if possible, what percentage of the children sentenced by the Juvenile Court, Montreal, were mentally defective, I obtained permission to examine the boys sent to the Boys' Farm and Training School, Shawbridge. There is no doctor attached to the Juvenile Court, Montreal, and no examination is made of the children's mentality, but they are simply sentenced for a term of years at Shawbridge by the judge. The boys were examined with the Binet-Simon tests and one of Healy's form boards along with a thorough physical examination, including where possible an examination of the nose, throat and ear, and a note by the superintendent on the boy's character and family history. I am indebted to Dr. Dorval, of Montreal, for the examinations of the nose, throat, and ear.

At Shawbridge all the eighty-one boys were examined; in addition to these, I have examined, in an unofficial capacity, five

boys and one girl from the Juvenile Court, making in all eighty-seven children, ranging in age from nine to nineteen years. The results of the examination were quite in accord with the findings of Goddard and others in the United States. Forty-two out of the eighty-seven children were three years or more retarded, or in other words were mentally defective, a percentage of 48.27; twenty were normal; twenty-two were from one to three years retarded, and in three cases the examination was unsatisfactory owing to nervousness of the child. Every child was examined individually and in quiet surroundings. It is important, of course, in using these tests to make the child perfectly at ease and to have no preconceived ideas of his mentality. Physically the boys when they arrived at the Home were, as a rule, in poor condition, but as most of them had been there for some months they were in very fair condition when examined. According to Dr. Dorval a large proportion of them were suffering from enlarged and diseased tonsils and adenoids, rhinitis, pharyngitis and ear disease. A large number also had bad teeth. The history, especially the family history, of each child could not be obtained fully, and all I could rely on in this regard was what the superintendent could tell me. This is most to be regretted, and it should be arranged that a copy of the probation officer's report be sent with every boy sentenced to the Training School.

An important point in the examination of these eighty-seven children is that not one of them was an epileptic; Healy, out of a thousand children at the Juvenile Court, Chicago, found that 7 per cent. were epileptic, so that it is remarkable that not one of my cases had epilepsy. Several of them had a history of convulsions in early infancy, but none of them at present suffer from them. Of the fifty-eight boys who had reached the age of puberty, in only five was there a history of masturbation or sexual perversion, a percentage of 8.62. Twenty-seven boys were of the Jewish nationality and fourteen of them were mentally defective. The Jewish boys were mainly sons of immigrants and their delinquency can possibly be traced to the fact that they learn the English language more quickly than their parents, which leads to lack of parental control; and along with poor environment and lack of playgrounds, they soon drift into bad company which eventually leads to delinquency. This problem of the children of immigrants is a most interesting and important one which must soon be seriously considered by the State.

The following notes on some of the boys will perhaps give a better idea of their examination than I could explain.

No. 50. Canadian born boy sentenced for five years for theft. His father is dead and his mother has tuberculosis. He is very deaf from chronic middle ear disease, has enlarged tonsils and adenoids and a naso-pharyngeal catarrh. His age is fifteen and his mental age nine. He is a harmless lad with an amiable disposition but with no judgement or will power, and therefore should be kept in an institution all his life.

No. 100. This boy was sentenced for four years for theft of tobacco. His father, a French-Canadian, is alive; his mother, a coloured woman, is also alive but a drunkard. His home is a wretched one and all the rest of the family are criminals. This is his second or third time in a reformatory. He is doing well but is a sexual pervert. His mental age is apparently normal, although the examination was not altogether satisfactory. He has diseased tonsils and hypertrophy of the middle turbinate bone.

No. 114. A Jewish boy born in Bucharest. His father is a cataleptic, lazy, and likes to exhibit his catalepsy; his mother is a highly strung, nervous woman; one of his brothers is in the penitentiary; another brother is with him at Shawbridge, and is two and a half years mentally retarded; a sister, aged sixteen, ran away from home and was found in Toronto masquerading in boy's clothes. When this boy came to Shawbridge he was suffering from syphilis, heart disease, hæmorrhoids and varicose veins. After six weeks in bed he began to improve and has continued to do so. His age is seventeen and his mental age is fourteen. He should always be under supervision.

No. 126. A Jew, sentenced for three years for shop-breaking and stealing. His father and mother are dead. His age is sixteen and his mental age ten and a half. He has no judgement nor will power whatever and is a masturbator. He should be in an institution all his life.

No. 130. A son of Irish parents. He came to Shawbridge with one of the worst characters that could be imagined, and all the court officials predicted that nothing could be done with him. He has given no trouble whatever, and is one of the best boys. He was suffering from chronic constipation, diseased tonsils, and chronic rhinitis. With the improvement in his physical make-up his mentality has also improved. His mother is a small, nervous woman, while his father is a big Irishman. His age is sixteen, while he is mentally nine and half years old, but I believe that as he improves physically he will grow mentally and should eventually make good. A brother of his, whom I examined, was six and half years retarded

mentally but he also was badly nourished and was suffering from chorea.

No. 137. A boy born in Canada of English parents. His father and mother are both dead but he has a step-mother. He is what the superintendent calls "a neglected boy." He is nineteen years old but mentally only eleven and a half years. He is one of these simple, confiding types of children, of the moron class. He needs institutional surroundings all his life. He makes a good farm worker.

No. 141. An English boy, sentenced for three years for vagrancy. Father and mother are both dead. Has good brothers and sisters. His age is sixteen, but mentally only eight years; he is a medium grade imbecile. When asked to do the "Mare and Foal" picture puzzle test he placed the blocks over the holes—not getting one in properly—and was quite satisfied that he had done it correctly. He is very affectionate but a masturbator. He should be in an institution all his life.

No. 169. A son of immigrant Jews. This boy is about four feet six inches tall, a bright, cheerful chap, a born leader. He was one of the best boy burglars in Montreal. His age is nine and mentally seven years. He soon got out of parental control and roaming the streets got into trouble. This boy, on account of his cleverness, will one day, I am afraid, have to be sent to the penitentiary.

No. 172. This is the only girl from the Juvenile Court that I have examined. She is a nice English girl, age eleven and a half years with a mental age of eight and a half years. She is a kleptomaniac, walks the streets and sleeps under stairs, away from home at night. She had very diseased tonsils and adenoids. She is the only child and her parents, especially the mother, who is a very nervous woman, have no idea how to manage her. Under proper care, she should grow up a fine woman, but with her present environment, I am afraid, will develop into a professional street walker.

Every individual in his development from infancy to maturity repeats the history of his race. This is a history of steady and progressive climbing upward from the condition of primeval man up through savagery, next merging into barbarism, then into chivalry and finally into modernism. Each child lives through these stages of racial development and the different exploits he enters into are simply manifestations of this development. If we realize this it will help us to find the solution for many cases of delinquency which may puzzle us.

From a physical standpoint, loss or lack of nerve control is an important cause of delinquency. This loss or lack of nerve control may be caused by nerve initiation, gross failure of development of the nervous system, or lack of development of the higher centres. Every physical defect is a source of nerve initiation but the most common ones are phimosis, diseased adenoids and tonsils, malnutrition, eye strain, and diseased or impacted teeth.

The problem of the mentally defective in Canada and their relation with delinquency must soon be studied and a solution found, because to-day the feeble-minded children who are living in this country are costing the government thousands of dollars. It must not be forgotten that every imbecile, especially the high grade imbecile, is a potential criminal. The problem should be attacked in several ways. First, the government should see that every immigrant, man, woman and child, is given a thorough mental examination, as is done at Ellis Island, and every feeble-minded person sent back to the country from which he came. Secondly, our public schools should be used as clearing houses for the mentally defective. In order to do this there must be compulsory education from the Atlantic to the Pacific, and efficient medical inspection of the school children. I cannot speak for other cities, but I do know that the medical inspection of school children in Montreal is not efficient. The object of the medical school inspector in Montreal is simply to diagnose diseases of a contagious nature, which can usually be done as well by the principal of the school. No thorough examination is made of the nose, throat, ears, eyes, heart, or lungs. No attempt is made to find out why a certain child is backward in his studies. As to mental tests, I am afraid, the ordinary medical school inspector has not yet learned their importance. This would seem to involve considerable labour, but after all the children had been once examined it would be an easy matter to examine every new pupil. Until this is done and proper institutions are provided for the care of the feeble-minded, the State will continue to erect huge penitentiaries and maintain them at an enormous cost.